THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.20021 of 2003

Date: 08-02-2007.

Between :

D.V.U.Annapurna.

.....Petitioner

And

The District Judge, West Godavari District, Eluru & Others.

.....Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.20021 of 2003

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties.

The petitioner has challenged the promotion of respondent Nos.2 to 9, which has been effected by impugned order dated 25.06.2003. The main ground of attack to the promotion order of the private respondents is that the rule of promotion was seniority and the petitioner was senior to respondent Nos.2 to 9. In the counter affidavit it has been stated that earlier a regularization order was passed on 04.01.1988, in which, the petitioner was shown in seniority higher to respondent Nos.2 to 9. The learned counsel for respondent No.1, however, submits that this order was modified and an order was passed on 06.05.1988 in which, the petitioner is much below in seniority to the respondents who have been promoted. Ultimately

a seniority list was also issued in the year 1994, where, the petitioner figures much below the respondents who have been promoted.

Since the order of promotion had been passed on the basis of seniority as it exists, therefore, this writ petition cannot succeed, and the writ petition is accordingly dismissed. However, the learned counsel for petitioner submits that neither the order dated 06.05.1988 nor the seniority list of 02.03.1994 was circulated or ever served on the petitioner, and that petitioner came to know about these orders only after the counter was filed. In view of this submission, if the petitioner is advised, she is at liberty to file a fresh writ petition.

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BILAL NAZKI, J

8th February 2007.

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NOOTY

RAMAMOHANA RAO, J

ajr